

REMARKS

Claims 84-95 are pending.

Claims 84-93 stand rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim subject matter that applicant regards as the invention. The Examiner refers to several limitations, specifically, "slot engagement member," "slot engaging portion," "locking member" and "pin." The Examiner states there is insufficient antecedent basis for these limitations in the written description of elected figures 14 and 15. Furthermore, the Examiner notes that the term "pin" is not referred to in the description of the figure 14. This rejection is respectfully traversed and reconsideration is respectfully requested. It is respectfully submitted that, as the Examiner is aware, applicant is allowed to be his own lexicographer. It is respectfully submitted that it is clear in figures 14 and 15 that there are portions of the device illustrated therein that engage the slot. Accordingly, it is respectfully submitted that terms such as "slot engagement member" and "slot engagement portion" are appropriate and accurate. Furthermore, it is respectfully submitted that the term "locking member" is a consistent term with regard to its use in any of the figures and claims and that such a term is wholly consistent with the present invention. Finally, it is noted that the term "pin" is used with regard to the description for figure 15. It is further respectfully submitted that such a term is a generic term and accurately reflects the purpose of the element in the figures. However, applicants have replaced the term with "inhibiting member" to further prosecution. Accordingly, it is respectfully requested that the rejection of the claims under 35 USC §112, second paragraph, be withdrawn.

Claims 84-93 stand rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 5,502,989 and claims 1-3 of U.S. Patent No. 6,155,088. Accordingly, applicants submit herewith a terminal disclaimer and respectfully request withdrawal of the rejection.

Finally, claims 84-93 stand rejected under 35 USC §102(e) being anticipated by Carl et al. (U.S. Patent No. 5,381,685). Applicants have amended claims 84 and 89 to make it clear that the inhibiting member is retractable. Furthermore, applicants have added dependent claims that are directed to the retractable inhibiting member being a screw and a pin. It is respectfully submitted that Carl et al. do not disclose such a locking system. Accordingly, it is respectfully submitted that claims 84 and 89 are allowable.

Claims 85-88 and 86-95 depend, are either directly or indirectly, on one of allowable claims 84 and 89 and therefore, they are allowable for at least the reasons claims 84 and 89 are allowable.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is urged. If the Examiner believes a telephone conference would aid in the prosecution of this case in any way, please call the undersigned at 415-576-0200.

Respectfully submitted,



Kevin T. LeMond
Reg. No. 35,933

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: 415-576-0200
Fax: 415-576-0300
KTL:lo
SF 1403987 v1

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1 84. (Amended) A locking system, comprising:
2 a portable electronic device having a wall defining a security slot;
3 a housing including a slot engagement member having a slot engaging
4 portion provided with a locking member sized to enter into and be removed from said
5 security slot when in an unlocked position, said slot engagement member being moveable
6 between said unlocked position and a locked position wherein said locking member is
7 retained within said security slot;
8 a [pin] retractable inhibiting member coupled to said housing and within
9 said security slot when said slot engagement member is in said locked position, for
10 inhibiting movement of said slot engagement member from said locked position; and
11 a cable, coupled to said housing, for attaching to an object other than said
12 portable electronic device.

1 89. (Amended) A locking system, comprising: a portable electronic
2 device having a wall defining a security slot;
3 a housing including a slot engagement member having a slot engaging
4 portion provided with a locking member sized to enter into and be removed from said
5 security slot when in an unlocked position, said slot engagement member being moveable
6 between said unlocked position and a locked position wherein said locking member is
7 retained within said security slot;
8 a retractable [pin] inhibiting member, coupled to said housing and within
9 said security slot when said slot engagement member is in said locked position, for
10 inhibiting movement of said slot engagement member from said locked position, and
11 wherein said [pin] inhibiting member is fixed relative to said housing; and
12 a cable, coupled to said housing, for attaching to an object other than said
13 portable electronic device to inhibit movement of said portable electronic device beyond
14 a predetermined distance from said object.